

**SUMMARIZED MINUTES
SCOTTSDALE CITY COUNCIL
SPECIAL MEETING
TUESDAY, OCTOBER 11, 2005**



**CITY HALL KIVA
3939 N. DRINKWATER BOULEVARD
SCOTTSDALE, AZ 85251**

CALL TO ORDER

Mayor Manross called to order a Special Meeting of the Scottsdale City Council on Tuesday, October 11, 2005 in the Kiva, City Hall, at 4:00 P.M.

ROLL CALL

Present: Mayor Manross
Vice Mayor Ron McCullagh
Council Members Betty Drake, Wayne Ecton, W.J. "Jim" Lane,
Robert Littlefield, and Kevin Osterman

Also Present: Acting City Attorney, Deborah Robberson
City Clerk Carolyn Jagger

1. REQUEST FOR EXECUTIVE SESSION TO:
 - A. Discuss and consult with the City's attorneys, including outside counsel, for legal advice and to instruct the attorneys regarding settlement possibilities and other matters in pending litigation, *Lemke, et al. v. State of Arizona, et al.*, Cause No. CV 2003-014321 pending in Maricopa County Superior Court. A.R.S. § 38-431.01(A)(3), (4). Contacts: Debby Robberson, Acting City Attorney, (480) 312-2405 dobberson@scottsdaleaz.gov; Mary Grace McNear, Assistant City Attorney, (480) 312-2405 mmcnear@scottsdaleaz.gov
2. MOTION TO RECESS INTO EXECUTIVE SESSION TO:
 - A. Discuss and consult with the attorneys of the public body for legal advice and to consider its position and instruct its attorneys regarding settlement possibilities and other matters in pending litigation, *Lemke, et al. v. State of Arizona, et al.*, Cause No. CV 2003-014321 pending in Maricopa County Superior Court. A.R.S. § 38-431.01(A)(3), (4).

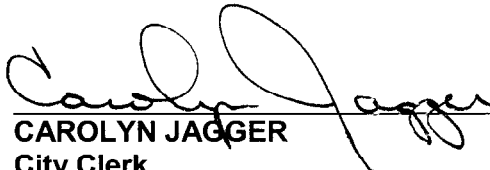
NOTE IN ACCORDANCE WITH PROVISIONS OF THE ARIZONA REVISED STATUTES THE SUMMARIZED MINUTES OF CITY COUNCIL MEETINGS ARE NOT VERBATIM TRANSCRIPTS. ONLY THE ACTIONS TAKEN AND DISCUSSION APPEARING WITH QUOTATION MARKS ARE VERBATIM. DIGITAL RECORDINGS OF CITY COUNCIL MEETINGS ARE ON FILE IN THE CITY CLERK'S OFFICE.

CERTIFICATE

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Special Meeting of the City Council of Scottsdale, Arizona held on the 11th day of October 2005.

I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 1st day of November 2005.

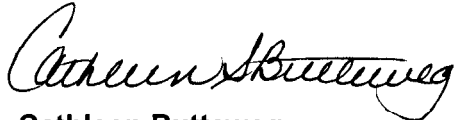

CAROLYN JAGGER
City Clerk

VICE MAYOR MCCULLAGH MOVED TO RECESS INTO EXECUTIVE SESSION TO DISCUSS AND CONSULT WITH THE CITY ATTORNEY'S OFFICE FOR LEGAL ADVICE AND TO INSTRUCT THE CITY'S ATTORNEYS REGARDING SETTLEMENT POSSIBILITIES AND OTHER MATTERS IN PENDING LITIGATION, *LEMKE, ET AL. V. STATE OF ARIZONA, ET AL.* COUNCILMAN OSTERMAN SECONDED THE MOTION, WHICH CARRIED 7/0.

ADJOURN SPECIAL MEETING

With no further business to discuss, the Special Meeting adjourned at 4:02 P.M.

SUBMITTED BY:



Cathleen Butteweg
Recording Secretary

REVIEWED BY:



Carolyn Jagger
City Clerk

Officially approved by the City Council on November 1, 2005